



General Assembly

Amendment

January Session, 2015

LCO No. 7390



Offered by:
SEN. KANE, 32nd Dist.

To: Subst. Senate Bill No. 99

File No. 346

Cal. No. 249

(As Amended by Senate Amendment "A")

"AN ACT CONCERNING NEW CAR DEALERS AND INFORMATION REGARDING THE MAGNUSON-MOSS WARRANTY ACT, THE UNAUTHORIZED ACCESS OF COMPUTER DATA, WRITTEN NOTICE FOR HOMEMAKER OR COMPANION SERVICE REGISTRIES AND BUSINESSES THAT MAKE CERTAIN UNSOLICITED AND INTENTIONALLY MISLEADING TELEPHONE CALLS TO CONSUMERS."

1 Strike section 1 in its entirety and substitute the following in lieu
2 thereof:

3 "Section 1. (NEW) (*Effective July 1, 2015*) (a) Each new car dealer, as
4 defined in section 14-51 of the general statutes, at the time the sale of a
5 new motor vehicle, as defined in section 14-1 of the general statutes, is
6 executed, shall deliver to the purchaser of such new motor vehicle a
7 written statement, printed in not less than ten-point boldface type, as
8 follows:

9 "The Magnuson-Moss Warranty Act, 15 USC 2301 et seq., makes it

10 illegal for motor vehicle manufacturers or dealers to void a motor
11 vehicle warranty or deny coverage under the motor vehicle warranty
12 simply because an aftermarket or recycled part was installed or used
13 on the vehicle or simply because someone other than the dealer
14 performed service on the vehicle. Simply using an aftermarket or
15 recycled part does not void your warranty. The Magnuson-Moss
16 Warranty Act makes it illegal for companies to void your warranty or
17 deny coverage under the warranty simply because you used an
18 aftermarket or recycled part. The manufacturer or dealer can, however,
19 require consumers to use select parts if those parts are provided to
20 consumers free of charge under the warranty. In addition, the
21 manufacturer or dealer can ask the Federal Trade Commission to
22 waive the rule prohibiting them from voiding consumers' warranties
23 for using aftermarket or recycled parts. The Federal Trade Commission
24 may grant a waiver if the manufacturer or dealer shows that the
25 product will function properly only if its parts or service are used and
26 the waiver is in the public interest. Still, if it turns out that the
27 aftermarket or recycled part was itself defective or wasn't installed
28 correctly and it causes damage to another part that is covered under
29 the warranty, the manufacturer or dealer has the right to deny
30 coverage for that part and charge you for any repairs. The Federal
31 Trade Commission requires the manufacturer or dealer to show that
32 the aftermarket or recycled part caused the need for repairs before
33 denying warranty coverage."

34 (b) For purposes of this section, an "aftermarket part" is a part that
35 was made by a company other than the vehicle manufacturer or the
36 original equipment manufacturer and a "recycled part" is a part that
37 was made for and installed in a new vehicle by the manufacturer or
38 the original equipment manufacturer and later removed from the
39 vehicle and made available for resale or reuse."